

REMARKS

Claims 37-52 are pending in the subject application. Applicants have not herein canceled, amended or added any claims.

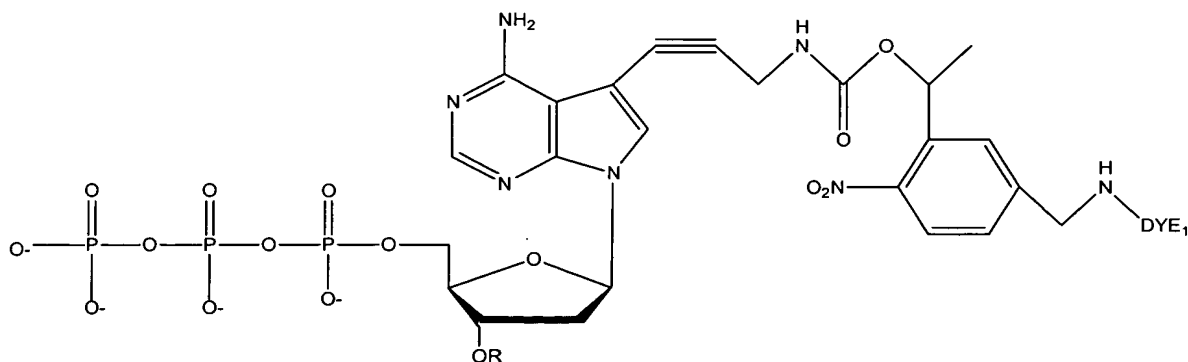
Election Requirement

In the June 23, 2006 Office Action, the Examiner stated that election one of the following allegedly patentably distinct species is required:

- I. species of label in claims 39-44; and
- II. species of nucleotide in claims 49-52.

The Examiner asserted that the inventions are distinct, each from the other, because, inter alia, they comprise different kinds of label or tag which have different chemical structures and properties. The Examiner further stated that the claims shall be restricted to these species if no generic claim is finally held to be allowable.

In response to this election requirement, applicants hereby elect, with traverse, to prosecute the label "fluorescent moiety", as recited in claim 39 (and read upon claims 37-40 and 45-50), and the nucleotide having the following structure recited in claim 49 (and read upon claims 37-40 and 45-50):

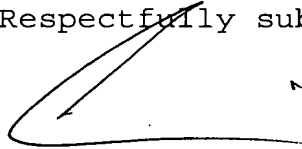


Applicants: Jingyue Ju et al.  
U.S. Serial No.: 10/702,203  
Filed: November 4, 2003  
Page 3

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorneys invite the Examiner to telephone them at the number provided below.

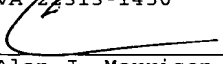
No fee, other than the enclosed \$510.00 fee for a three-month extension of time, is deemed necessary in connection with the filing of this Communication. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,



John P. White  
Registration No. 28,678  
Alan J. Morrison  
Registration No. 37,399  
Attorneys for Applicants  
Cooper & Dunham LLP  
1185 Avenue of the Americas  
New York, New York 10036  
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. postal Service with sufficient postage as first class mail in an envelope addressed to: COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450

  
Alan J. Morrison  
Reg. No. 37,399

10/23/06  
Date